

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL MORRIS,

Plaintiff,

v.

TAMMY DICKMAN, et al.,

Defendants.

ORDER

Case No. 15-cv-712-wmc

On November 20, 2015, this court entered an order directing plaintiff Michael Morris to submit by December 9, 2015 an initial partial payment of the filing fee in the amount of \$0.56. On November 30, 2015, plaintiff submitted a motion for extension in which he says that he lacks sufficient funds to pay the assessed initial partial payment of the filing fee and asks the court to waive payment of the initial partial filing fee or alternatively for a 30-day extension of time to pay the assessed amount.

The statute governing proceedings *in forma pauperis* does not grant courts discretion to reduce or waive an initial partial payment, even if the prisoner says he is unable to pay it. Therefore, I will deny plaintiff's motion to lower the amount of the \$0.56 initial partial filing fee. However, I will grant plaintiff's request for an extension of time until January 8, 2016 to pay the initial partial payment.

If plaintiff does not have enough money to pay the initial partial payment from his regular account, plaintiff may arrange with prison authorities to pay the fee from his release account.

ORDER

IT IS ORDERED that,

1. Plaintiff Michael Morris's motion to waive the initial partial payment in this case is DENIED.

2. Plaintiff's motion for an extension of time to submit the initial partial filing fee is GRANTED.

3. Plaintiff may have until January 8, 2016, to submit a check or money order made payable to the clerk of court in the amount of \$0.56. If by January 8, 2016, plaintiff fails to pay the remaining balance of the initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff's filing at a later date.

Entered this 2nd day of December, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge